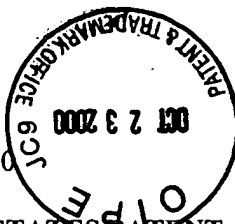


Practitioner's Docket No. 11111/1220



OCT 23 2000

TECH CENTER 1600/2800

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 30 2000

TECH CENTER 1600/2800

In re application of: Segal, Andrew  
Application No.: 09/345,148  
Filed: 06/30/1999

Group No.: 1651  
Examiner: Gambel, P

For: CD40 Ligand-Enhanced Cells and Methods of Modulating an Immune Response to an Antigen

Box Sequence  
Commissioner for Patents  
Washington, D.C. 20231

SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY,  
AND/OR AMENDMENT PERTAINING THERETO  
FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE  
AND/OR AMINO ACID SEQUENCE

1. This replies to the Office Communication dated September 22, 2000.

A copy of the Office Letter is enclosed.

CERTIFICATION UNDER 37 C.F.R. sections 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. section 1.8(a)

37 C.F.R. section 1.10\*


☐ with sufficient postage as first class mail.

☒ as "Express Mail Post Office to Address"  
Mailing Label No. EL591993639US

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: October 23, 2000

  
Signature

Kathleen M. Williams  
(type or print name of person certifying)

## IDENTIFICATION OF PERSON MAKING STATEMENT

2. I, Kathleen M Williams state that the following items submitted herewith are:

"Sequence Listings" for the nucleotide and/or amino acid sequences in this application. Each "Sequence Listing" is assigned a separate identifier as required in 37 C.F.R. section 1.821(c) and 37 C.F.R. sections 1.822 and 1.823.

An amendment to the description and/or claims, wherein reference is made to the sequence by use of the assigned identifier, as required in 37 C.F.R. section 1.821(d).

A copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. sections 1.821(e) and 1.824.

A statement that the content of each "Sequence Listing" submitted and each computer readable copy are the same, as required in 37 C.F.R. section 1.821(g).

Because this submission is made in fulfilling the requirement under 37 C.F.R. section 1.821(g), a statement that the submission includes no new matter.

## STATUS

4. Applicant is a small entity. A statement was already filed.

## EXTENSION OF TIME

5. The proceedings herein are for a patent application and the provisions of 37 C.F.R. section 1.136 apply. Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## SIGNATURE

Kathleen M Williams



Practitioner of record

Registration Number: 34,380

Date: October 23, 2000  
Palmer & Dodge, LLP  
One Beacon Street  
Boston, MA 02108  
Tel. No. 617-573-0451



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

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OCT 26 2000

KD

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/345,148    06/30/99    SEGAL

3378/80490

TECH CENTER 1600/2900

HM12/0922

KATHLEEN M WILLIAM ESQ  
BANNER & WITCOFF LTD  
28 STATE STREET  
BOSTON MA 02109

EXAMINER
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GAMBEL, P

ART UNIT	PAPER NUMBER
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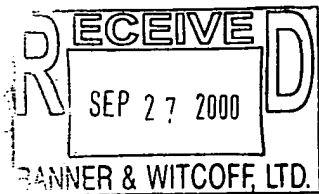
1644

DATE MAILED:

09/22/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

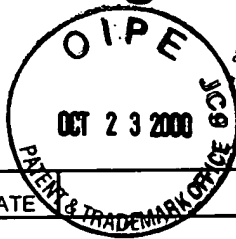
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Patent and Trademark Office  
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Washington, D.C. 20231

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OCT 26 2000

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

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OCT 30 2000

TECH CENTER 1600/2900

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

**Please find below a communication from the EXAMINER in charge of this application**

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CAR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CAR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

For example, see Example 6 in the Specification.

Applicant is reminded to amend the specification and claims, if appropriate, to indicate the appropriate SEQ ID NOS.

APPLICANT IS GIVEN ONE EXTENDIBLE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CAR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CAR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CAR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phillip Gambel whose telephone number is (703) 308-3997. The examiner can normally be reached Monday through Thursday from 7:30 am to 6:00 pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Chan can be reached on (703) 308-3973. Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

*Phillip Gambel*

Phillip Gambel, PhD.  
Primary Examiner  
Technology Center 1600  
September 20, 2000

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7.

Other: \_\_\_\_\_

**Applicant must provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123

For CRF submission help, call (703) 308-4212

For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.



10-24-00

EL591993639US WD  
PATENT GP 1615

Atty. Docket No.: 11111/1220

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Segal, Andrew  
Serial No.: 09/345,148  
Filed: June 30, 1999  
Entitled: CD40 Ligand-Enhanced Cells and Methods  
of Modulating an Immune Response to an  
Antigen

Examiner: Gambel, P.

Group Art Unit: 1651

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OCT 26 2000  
TECH CENTER 1600/3990**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that the paper (and fee referred to as being enclosed) is being deposited with the United States Post Office using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, Express Mail Label No. EL591993639US on this date October 23, 2000, postage prepaid, in an envelope addressed to Box Sequence, Commissioner for Patents, Washington, D.C. 20231

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

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**BOX SEQUENCE**

Commissioner for Patents  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Amendment;
2. Submission of "Sequence Listing" Computer Readable Copy, and/or Amendment Pertaining Thereto for Biotechnology Invention Containing Nucleotide and/or Amino Acid Sequence;
3. Paper copy of Sequence Listing;
4. Computable Readable Diskettes; and
5. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 11111/1220.

**A duplicate of this transmittal letter is enclosed for this purpose.**

Respectfully submitted,

Date: October 23, 2000

Name: Kathleen M. Williams, Ph.D.  
Registration No.: 34,380  
PALMER AND DODGE, LLP  
One Beacon Street  
Boston, MA 02109-3190  
Telephone No: (617) 573-0451